IN THE CLAIMS:

The text of all pending claims, (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~strikethrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

Please CANCEL claims 1, 2, 3, 4, 5, 6, 7, 8 and 9, without prejudice:

1. (CANCELLED)

2. (CANCELLED)

3. (CANCELLED)

4. (CANCELLED)

5. (CANCELLED)

6. (CANCELLED)

7. (CANCELLED)

8. (CANCELLED)

9. (CANCELLED)

10. (ORIGINAL) A fuel cell comprised of a solid electrolyte layer sandwiched by a cathode layer and an anode layer to which a mixed gas of a fuel gas and air mixed together is supplied, wherein:

the fuel cell is formed into a folded member comprised of a single cell layer comprised of the cathode layer, solid electrolyte layer, and anode layer stacked together or a multilayer member of a plurality of the single cell layers stacked together folded back and forth,

facing surfaces of the adjoining strata of the single cell layer or multilayer member of the folded member are both formed by cathode layers or by anode layers, and

the cathode layer and anode layer or facing surfaces of adjoining strata of the single cell layer or multilayer member have a gas passage enabling passage of the mixed gas formed between them.

11. (ORIGINAL) A fuel cell as set forth in claim 10, wherein each of said cathode layer and anode layer is formed as a porous layer enabling passage of said mixed gas.

12. (ORIGINAL) A fuel cell as set forth in claim 10, wherein facing surfaces of adjoining strata of the single cell layer or multilayer member are provided between them with spacer members so as to form a gas passage enabling passage of said mixed gas.

13. (ORIGINAL) A fuel cell as set forth in claim 10, wherein facing surfaces of adjoining strata of the single cell layer or multilayer member are provided between them with a porous member formed porously so as to enable passage of said mixed gas.